IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CRIMINAL MISC. PETITION NO.1465/07

Hafiz @ Bandu Khan & Anr.

Versus

State & Anr.

DATE OF ORDER : 04/12/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. Pratap Singh Sirohi, for petitioners

Mr. Arun Sharma, Public Prosecutor for State

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Instant petition has been filed for quashing of FIR which was registered against accused-petitioners for offence u/ss.420, 467, 468, 471, 120B & 406 IPC.

Basic objection of counsel is that from bare perusal of FIR registered against accused-petitioners, no criminal offence is made out. In these circumstances, if they are allowed to be prosecuted it will be clear abuse of the process of law, particularly, when no offence from the contents of FIR is made out.

This court earlier vide order dated 10th September, 2007 directed Public Prosecutor to keep the case diary ready for perusal of this court.

I have heard counsel for parties and perused the case diary taking note of statements recorded u/s.161 Cr.P.C. and so also FIR registered against accused-petitioners. From its bare perusal, prima facie it constitutes offence and it does not call for interference at this stage. However, petitioners will be at liberty to question at the appropriate stage.

Consequently, the misc. petition stands dismissed.

[AJAY RASTOGI],J.